

Week Four Handout

“Holy War, Holy Peace: A biblical, historical and political perspective”

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Just War Theory from Woodrow Wilson to George W. Bush

A theoretical and political interpretation of war

Just War Theory is a doctrine of ethics that proposes that for war to be “just” it must meet certain philosophical, religious and political criteria. Its origins are found in the teachings of St. Augustine and Thomas Aquinas, and it is the authoritative teaching of the Catholic Church for justifying war. This class will examine the use of biblical and theological principles in justifying and opposing war.

Opening

- Greetings. Last session. Please be sure and complete the feedback forms.
- Reminder that materials are online.

Introduction to Just War Theory

- Clip from “John Adams” miniseries DVD – Part II “Independence” – Scene “Natural Born Rights” (first 3 minutes)
 - Argument for and against war
 - A realist argument vs. a religious/pacifist argument
- When the United States entered WWI, Cardinal James Gibbons of Baltimore to support the government’s decision to go to war. He endorsed the formation of a National Catholic War Council to support the war effort.
- Billy Graham has supported every American presidential decision to go to war since the Korean War.
- Dr. Richard Land head of the Southern Baptist Ethics & Religious Liberty Commission (regarding going to war in Iraq): *I believe in just-war theory, and the first item in just-war criteria is that it has to be a just cause. I believe our cause in Iraq was just; I think it was one of the more noble things we've done. We went to liberate a country that was in the grip of a terrible dictator who had perpetrated horrible atrocities and crimes against humanity, against his own people, as well as his neighbors. We removed him and we are giving the Iraqis the ability to defend themselves and to build a stable democracy.* (Beliefnet)

History of Just War

Just War theory, in idea and principle, has roots in the world's great religions. One can find elements within all of them. As well, early Just War theory was built on the philosophical thinking of Plato and Cicero.

It seeks to deal with the moral and ethical arguments for war –

- Is it okay to go to war?
- Can war be fought in a moral manner?
- Can one engage in war and not violate their own deepest moral principles?

Just War theory began as a way to limit war but has evolved to become an effort to prevent war by establishing a rigorous set of conditions that must be met in order for war to be considered morally permissible.

In the fourth century AD, Constantine authorized Christianity (Edict of Milan, 313). Up until this time, Christians had been largely pacifists. Now, the Emperor called Christians into military service. This presented a moral dilemma: "Can a Christian answer the Empire's call to military duty and still have a clear conscience before God?"

Augustine (5th c.) and later Thomas Aquinas (13th c.) gave their minds to answering the ethical questions raised by this question about war and its related and derivative questions. What emerged is what we now call Just War Theory.

The Bible and Just War

Biblical principles for Just War:

- I am my brother's keeper – Genesis 4:8-12
- Love and care of neighbor – Matthew 22:39; Luke 10:25-37
- Rules of restraint in war – Deuteronomy 20:10-20
- Doctrine of love/charity – 1 Corinthians 13

Doctrine of the Catholic Church – Catechism of the Catholic Church (Part 3, Section 2, Chapter 2, Article 5, III "Safeguarding Peace")

Avoiding war

2307 *The fifth commandment forbids the intentional destruction of human life. Because of the evils and injustices that accompany all war, the Church insistently urges everyone to prayer and to action so that the divine Goodness may free us from the ancient bondage of war.*

2308 *All citizens and all governments are obliged to work for the avoidance of war. However, "as long as the danger of war persists and there is no international authority with*

the necessary competence and power, governments cannot be denied the right of lawful self-defense, once all peace efforts have failed.”

2309 The strict conditions for legitimate defense by military force require rigorous consideration. the gravity of such a decision makes it subject to rigorous conditions of moral legitimacy. At one and the same time:

- *the damage inflicted by the aggressor on the nation or community of nations must be lasting, grave, and certain;*
- *all other means of putting an end to it must have been shown to be impractical or ineffective;*
there must be serious prospects of success;
- *the use of arms must not produce evils and disorders graver than the evil to be eliminated.*
- *the power of modern means of destruction weighs very heavily in evaluating this condition.*

Just War Theory outlines principles and criteria for the three states of warfare – before, during and after war.

Jus ad Bellum – Justice of War / Going to War

Answers the questions, “**When** is it just to go to war?” “**When** is war morally acceptable?”

- **Just Cause** – There must be a right reason for going to war: self-defense, eminent attack, protecting the innocent, restoring human rights, restoring international peace and security. (Revenge, punishment, expansion, colonialism are not accepted as “just” reasons for war.)
- **Lawful Authority** – War must be declared by those with responsibility for public peace and security, not private groups or individuals.
- **Comparative Justice** – Besides being just, the cause must be weighty enough to warrant the extreme step of engaging in war with all its uncertainties and evils.
- **Right Intentions** – Our motives must be pure. Our aim must be to create a better, more just and lasting peace than there would have been if we did not go to war.
- **Reasonable Chance of Success** – There must be a reasonable chance of success. If the result of war is only increased death and suffering without making things materially better, then it is not humane or moral to engage in warfare.
- **Proportionality** – The damage inflicted and the costs incurred by war must be proportionate to the good expected by taking up arms.
- **Last Resort** – We must not resort to arms if and until absolutely every other option for a peaceful resolution has been exhausted.

Codified in **United Nations Charter** (June 26, 1945)

Chapter VII: Action with Respect to Threats to Peace, Breaches of Peace and Acts of Aggression

Jus in Bello – Justice in War / Waging War

Answers the question, “**How** can war be conducted in a moral manner?”

- **Principle of Distinction** – War should be directed towards combatants and not towards innocent non-combatants. This requires discriminating between targets chosen and limiting the destruction of targets.
- **Principle of Proportionality and Military Necessity** – Only the force required to defeat the enemy should be exercised or, at the least, not to be defeated by the enemy. Restraint should be the norm. The lives of innocents AND the lives of soldiers should not be wasted unnecessarily.
- **Principle of Humanity and Military Honour** – Human beings have intrinsic value and are not to be treated impersonally or inhumanely on the field of battle. This requires the fair treatment of prisoners of war.
- **Principle of Malum In Se** (*evil in itself*) – Soldiers may not use weapons or methods of warfare that are evil in themselves – rape, torture, forcing soldiers to fight against their own side, using weapons of mass destruction.

Codified in **Hague Conventions** (1899 and 1907) and **Geneva Conventions** (1864, 1906, 1929, 1949), **Geneva Protocols** (1977, 2005)

Jus Post Bellum – Justice After War

Answers the question, “**What** are the responsibilities of the victor and vanquished when the war is over?”

- **A Just Settlement** – The war begins with a disagreement and it ends when agreement is reached. A just war requires a just settlement. The terms of the agreement must be measured, reasonable and public.
- **Just Military Occupation** – The victor has the responsibility to create order out of chaos and to prevent further chaos. The victor is the temporary trustee for a specified period of time. (The responsibilities of occupying armies are laid out in the Hague Conventions.)
- **Limited Right to Change Status** – The victor cannot change the map or partition of a country; it cannot engage in population transfers. Any changes to sovereignty must be validated by the international community (i.e., United Nations).

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